

*On the United States Patent and Trademark Office*

Appn. Number: 09/641,410

Appn. Filed: August 18, 2000

Applicant: Alice Mary O'Donnell Kiely

Title: Edible Supports for Comestibles with Optional,  
Edible Mess Guards and Drip Guards

Examiner/GAU: Stephen Weinstein/1761

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71 Stonewall Court  
Yorktown Heights, New York  
10598-1819

January 24, 1995

Goldstein and Associates  
121 Wellington Court  
Staten Island, New York 10314

Dear Richard Goldstein,

Thank you for calling me in response to my letter and talking so candidly. I really enjoyed talking with you about patents and all the numerous facets that it has.

I have enclosed 1) my disclosure, 2) a letter to the PTO with different drawings of the same invention where I asked which class\subclass my idea was in, 3) a copy of that response.

My idea is a frozen ice cream bar with an edible stick. I have to apologize for my drawings. I know they need a lot of work and must be very incorrect in a lot of places but perhaps they will give you an idea of what I have in mind.

I did a search of all fifty-one patents in this class and subclass ( 426 - 139 ) from 1971 on. However this was on November 21st. I can send you a copy if it helps you. The only one close to my idea as I could determine from the abstracts was a "Combination of Frozen Dessert and Stick of Chewing Gum" where it is said that the gum supports the frozen confection. It is patent # 4,399,153 (1983) by Japanese Inventors. I did not get an opportunity to look at the patent. Prior to asking the PTO for help, I looked up under "ice cream" and I did not see anything. I was wondering if you could tell me from this information if this is enough of a search, should I search it further, is it even worth pursuing, or if it is, should you search it further?

As you will see when you look through it, I had a question of practicability because of melting, but I think it is less liable to melt than a Klondike Bar or any of those ice cream bars that are held directly in your hands that are currently on the market. I make them for my children and they really enjoy them. The only one who has a problem is the youngest, my five year old who grabs the stick tightly in his hand (and he always seems to be warm anyway) and the outside melts a little. As per our conversation, I probably would not have pursued the diaper idea that I was using because I would have thought that the FDA ( or whoever regulates these things) would never approve of wetness close to the skin now that this was avoidable. So I am sending this one to you. It really won't help anyone but it's fun!

As far as the content of the edible popsicle stick, I would

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hope that any of the chocolate candy bar companies such as, Milky Way, Three Musketeers, Caramello etc. and any of the cookie bar companies such as the ones that make Twix and Kit Kat and also Twizzlers may be interested. I have made popsicles with edible sticks from all of the above mentioned and they work well and the children enjoy them.

I have been thinking of different kinds of wrappers such as pliable bubble plastic for around the handle or thin clear plastic tubing or cardboard that will only touch the corners of the rectangular sticks (a square within a circle) to minimize melting if need be. The pops are usually so frozen that the inside of the stick keeps the outside cold for as long it takes a person to eat it.

Well, I hope I haven't worn out my welcome! If you have any questions, I am in and out during the day. We do have an answering machine and I can call back within a short amount of time. Thank you so much for all your time and help.

Sincerely,

  
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Alice O. Kiely

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